

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

LATOI DOWNING,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-00889-JRS-MPB
)	
CITY OF INDIANAPOLIS,)	
JEREMY TORRES,)	
BRETT LORAH,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION
HON. MAGISTRATE JUDGE MATTHEW P. BROOKMAN

On April 12, 2021, Plaintiff Latoi Downing filed this Civil Rights Act action against Defendants City of Indianapolis, Jeremy Torres and Brett Lorah. ([Dkt. No. 1](#)). Plaintiff was represented by counsel.

On October 26, 2021, Plaintiff filed a Motion to Withdraw Attorney Appearance ([Dkt. No. 30](#)). On January 25, 2022, after a hearing on the matter, the Court granted Plaintiff's Motion to Withdraw Attorney Appearance and set a status conference for February 4, 2022. ([Dkt. No. 38](#)). At the February 4, 2022 status conference, Plaintiff, pro se, indicated that she had not secured new counsel and was weighing her options for how she planned to proceed with the matter. The Court set a second status conference for March 4, 2022, ([Dkt. No. 40](#)), at which time, and after having received notice of the conference, Plaintiff failed to appear.

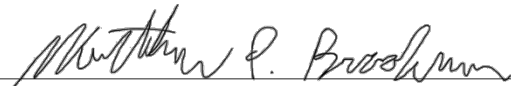
On March 4, 2022, the Court entered an Order to Show Cause directing Plaintiff to show cause within thirty days of the date of the order, why this action should not be dismissed for failure to appear. ([Dkt. No. 47](#)). The Court's order noted that "[i]f no good cause is shown by that date, the Magistrate Judge would recommend dismissal without prejudice." *Id.*

To date, Plaintiff has not responded to the order to show cause. Accordingly, the Magistrate Judge recommends the Plaintiff's Complaint be **DISMISSED** without prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for Plaintiff's failure to prosecute this matter.¹

Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), and failure to timely file objections within fourteen days after service shall constitute a waiver of subsequent review absent a showing of good cause for such failure.

SO ORDERED.

Date: April 15, 2022

A handwritten signature in black ink, reading "Matthew P. Brookman", is written over a horizontal line.

Matthew P. Brookman
United States Magistrate Judge
Southern District of Indiana

¹ On April 13, 2022, Defendants filed a Request for Dismissal without prejudice ([Dkt. No. 48](#)).

Distribution:

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